



**STERNE, KESSLER, GOLDSTEIN & FOX**

1100 New York Avenue, N.W., Suite 600  
Washington, D.C. 20005-3934

08/383676

DOCKET NUMBER 1512.0010003	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:  CLASS  SUBCLASS	PRIOR APPLICATION:  EXAMINER K. Carlson  ART UNIT 1812
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Address to:

Commissioner of Patents and Trademarks  
Box FWC  
Washington, D.C. 20231

19/D  
MJS  
3/13/95

This is a Request for filing a ☐ continuation-in-part ☒ continuation ☐ divisional application under 37 CFR 1.62 of prior application No. 08/153,287, filed on November 17, 1993 entitled TNF RECEPTORS, TNF BINDING PROTEINS AND DNAS CODING FOR THEM by the following named inventors:

FULL NAME OF 1st INVENTOR	FAMILY NAME <u>Hauptmann</u> 1-00	FIRST GIVEN NAME <u>Rudolph</u>	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY <u>Ebreichsdorf</u>	STATE OR FOREIGN COUNTRY Austria <u>ATX</u>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Döllachstrasse 22	CITY A-2483 Ebreichsdorf	STATE & ZIP CODE/COUNTRY Austria
FULL NAME OF 2nd INVENTOR	FAMILY NAME <u>Himmler</u> 2-00	FIRST GIVEN NAME <u>Adolf</u>	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY <u>Vienna</u>	STATE OR FOREIGN COUNTRY Austria <u>ATX</u>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Fürst Leichtensteinstrasse 2/3	CITY A-1236 Vienna	STATE & ZIP CODE/COUNTRY Austria
FULL NAME OF 3rd INVENTOR	FAMILY NAME <u>Maurer-Eogy</u> 3-00	FIRST GIVEN NAME <u>Ingrid</u>	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY <u>Vienna</u>	STATE OR FOREIGN COUNTRY Austria <u>ATX</u>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Lindauergasse 35	CITY Austria	STATE & ZIP CODE/COUNTRY Austria
FULL NAME OF 4th INVENTOR	FAMILY NAME <u>Stratowa</u> 4-00	FIRST GIVEN NAME <u>Christian</u>	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY <u>Vienna</u>	STATE OR FOREIGN COUNTRY Austria <u>ATX</u>	COUNTRY OF CITIZENSHIP Austria
POST OFFICE ADDRESS	POST OFFICE ADDRESS Schellinggasse 3/9	CITY A-1010 Vienna	STATE & ZIP CODE/COUNTRY Austria

The above identified prior application in which no payment in the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application (note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned).

1. ☒ Enter the amendment previously filed on October 18, 1994 under 37 CFR 1.116 but unentered, in the prior application.

2. ☐ A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS 16	-20 =	0	X \$22 =	\$0
	INDEPENDENT CLAIMS 4	-3 =	1	X \$76 =	76.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$240	-0-
				BASIC FEE	\$730.00
				Total of above Calculations =	806.00
	Reduction by 1/2 for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				0
				TOTAL =	\$806.00

3. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 19-0036.

4. ☒ A check in the amount of \$806.00 is enclosed.

5. ☐ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

6. ☒ Amend the specification by inserting before the first line the sentence:

--This application is a continuation of application No. 08/153,287, filed November 17, 1993, <sup>now abandoned</sup>

<sup>which is a continuation of Serial No. 07/821750, now abandoned, and which is a division of Serial No. 07/511430, now abandoned.</sup>

7. ☐ A verified statement claiming small entity status is enclosed (necessary even if a statement was filed in the prior application).

8. ☒ Priority of application No. P39 13 101.7 filed on 21 April 1989 in Germany, application No. P39 20 282.8 filed on 21 June 1989 in Germany, and application No. 90106624.1 filed on 6 April 1990 in Europe (EPO) is claimed under 35 U.S.C. 119.

84

9. ☒ The prior application is assigned of record to:  
Boehringer Ingelheim International GmbH; Reel 7046, Frame 0919
10. ☒ The power of attorney in the prior application is to: Robert Greene Sterne, Esq., Registration No. 28,912; Edward J. Kessler, Esq., Registration No. 25,688; Jorge A. Goldstein, Esq., Registration No. 29,021; Samuel L. Fox, Esq., Registration No. 30,353; and Robert W. Esmond, Registration No. 32,893
11. ☒ Also enclosed is a copy of Petition for Extension of Time filed in parent application no. 08/153,287.

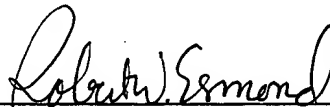
Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

STERNE, KESSLER, GOLDSTEIN & FOX  
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It is understood that secrecy under 35 U.S.C. 112 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

Feb. 1, 1995

Date



Robert W. Esmond, Registration No. 32,893

- ☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under §1.34(a)

1512001.62



08/383676

## STERNE, KESSLER, GOLDSTEIN &amp; Fox

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February 1, 1995

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PATENT AGENTS

WRITER'S DIRECT NUMBER:

**BOX: New Application**

The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Re: U.S. FWC Utility Patent Application  
Appln. No. (to be assigned); Filed: February 1, 1995  
For: TNF RECEPTORS, TNF BINDING PROTEINS AND DNAS  
CODING FOR THEM  
Inventors: HAUPTMANN *et al.*  
Our Ref: 1512.0010003/RAM

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. Request for Continuation Application Under 37 C.F.R. § 1.62;
2. Copy of Petition for Extension of Time filed in parent application 08/153,287;
3. Our check no. 14249 for \$806.00 to cover:  
\$730.00 filing fee,  
\$76.00 fee for excess independent claim; and
4. Two return postcards.

The Honorable Commissioner  
of Patents and Trademarks  
February 1, 1995  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents and that it be returned as soon as possible.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX



Robert W. Esmond  
Attorney for Applicants  
Registration No. 32,893

RAM/das  
15120013.CVR  
Enclosures